

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MINUTES OF JURY TRIAL

DATE: September 26, 2022

DAY: 1

CASE NO.: 18-cv-966-SMY

PRESIDING: HONORABLE STACI M. YANDLE

CATHERINE ALEXANDER,	)	REPORTER: Chris LaBuwi
	)	COURTROOM DEPUTY: Stacie Hurst
Plaintiff,	)	
	)	CIVIL: X
v.	)	
	)	TIME: 8:43 a.m. – 4:28 p.m.
	)	JURY PRESENT: 10:16 a.m.
TAKE-TWO INTERACTIVE	)	
SOFTWARE, INC., et al.,	)	RECESS: 8:55 a.m. – 10:02 a.m.; 10:05 a.m. -
	)	10:16 a.m.; 11:12 a.m. – 11:32 a.m.; 12:01 p.m. -
	)	12:51 p.m.; 1:18 p.m. – 1:39 p.m.; 2:06 p.m. -
	)	2:20 p.m.
Defendants.	)	

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**APPEARANCES:**

**Counsel for Plaintiff:** Anthony Simon, Paul Tahan, Anthony Friedman, Seth Crompton

**Counsel for Defendants, Take-Two Interactive Software, Inc., 2K Games, Inc., 2K Sports Inc., Visual Concepts Entertainment:** Dale Cendali, Michael Nester, Joshua Simmons, Miranda Means

**Counsel for Defendant, World Wrestling Entertainment, Inc.:** Curtis Krasik, Michael Nester

**Cause called for jury trial with parties and counsel present.**

**Voir Dire: 10:16 a.m.; number of jurors called: 40; number of jurors challenged: 33**

**Number of jurors selected and sworn: 8**

Opening statement by Anthony Friedman on behalf of Plaintiff.

Opening statement by Dale Cendali on behalf of Defendants, Take-Two Interactive Software, Inc., 2K Games, Inc., 2K Sports Inc., Visual Concepts Entertainment.

Opening statement by Curtis Krasik on behalf of Defendant, World Wrestling Entertainment, Inc.

The following stipulations were read by the Court:

- World Wrestling Entertainment or “WWE” is an entertainment company that creates and promotes entertainment related to professional wrestling.
- Randy Orton has been a professional wrestler for the WWE.
- Catherine Alexander has been a tattooist.
- Ms. Alexander inked five tattoos on Randy Orton.
- Catherine Alexander and Randy Orton did not discuss whether he had her permission to allow others to use the tattoos that Alexander inked on him in a video game.
- Take-Two Interactive publishes and markets video games.
- 2K Games develops and publishes video games.
- 2K Sports develops video games.
- Visual Concepts develops video games.
- WWE 2K16 was released on or around October 27, 2015.
- WWE 2K17 was released on or around October 11, 2016.
- WWE 2K18 was released on or around October 17, 2017.
- Alexander filed this copyright infringement lawsuit on April 17, 2018.

PLAINTIFF(S) WITNESSES:

(1) Jose Zagal time: 3:45 p.m. – 4:26 p.m.

PLAINTIFF’S ADMITTED EXHIBITS: 37, 42, 44, 46

Jury trial to reconvene September 27, 2022, at 9:00 a.m. Counsel to be present at 8:30 a.m.